

**THE VIRGINIA LAND CONSERVATION FOUNDATION
GRANT PROGRAM
PROJECT AGREEMENT**

Sponsoring Agency: County of York

State Project Number: VLCF – 14 (01)

Project Title: Historic Yorktown Beach Trail

Project Period: Date of Formal Approval to 12-31-2003

Project Scope: Acquisition of nine (9) easements by the County of York on the York River Beach to provide continuous pedestrian linkage along a riverfront trail

Total Project Cost: \$ 235,000

Project Grant Amount: \$ 117,500

In order to provide documentation for grant reimbursement, The following are hereby incorporated into this agreement:

If applicable, evidence of holder requirements as described in *Code of Virginia* § 10.1-1009 to § 10.1-1017.

A survey plat or property description showing the metes and bounds of property.

Evidence of title -- Attorney's opinion, title insurance, or other means considered reasonable and adequate.

The property must be acquired by deed, the form of which has been approved by the Foundation. The property must be dedicated in perpetuity by easement or other means satisfactory to the Department, for one or more of the purposes described in the Virginia Land Conservation Fund, § 10.1-1020 of the *Code of Virginia*.

Copy of recorded deeds, acquisition and easements, showing the locality, deed book and page of recordation.

If applicable, and depending on the value of the acquisition, two (2) original copies of all required appraisal reports. NOTE: Acquisition of property exceeding \$100,000 shall require submittal of two (2) different appraisal reports.

Conservation easement appraisals shall include a before and an after value.

Sixty-year history of property conveyance as contained in Title Report.

Verification of eligible expenditures including: copies of invoices, bills of sale, cancelled checks (both sides), etc.

The Virginia Land Conservation Foundation and the Sponsoring Agency named herein mutually agree to perform this agreement in accordance with the *Code of Virginia* §10.1-1021, the provisions and conditions of the "2000 Appropriations Act", Virginia Acts of Assembly, Chapter 1073 dated May 19, 2000, and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps and assurances attached hereto or obtained by the state and listed below:

The following special project terms and conditions are agreed to by the parties hereto:

The Grant Recipient agrees to hold the Commonwealth of Virginia harmless from all legal liability under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, 42 United States Code §§ 9601 *et seq.*

All acquisitions by public entities are subject to *Code of Virginia* § 25-235.1- 25-253, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1972

Reimbursement on fee simple acquisition projects shall not exceed 50% of appraised value.

The Executive Secretary reserves the right to seek independent appraisal reviews on all appraisals prior to reimbursement.

All grant funds shall be paid on a 50% matching reimbursement basis not to exceed the total grant amount of \$117,500.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

The Virginia Land Conservation Foundation
Commonwealth of Virginia

By David G. Brickley Date 1/23/01
David G. Brickley
Executive Secretary

Sponsor/Grant Recipient

Name Robert S. Kraus
Please Print

By _____ Date 1/29/01
Signature

Title Director of General Services